

SUBCHAPTER 37C - RULEMAKING AND DECLARATORY RULINGS

SECTION .0100 - ADOPTION OF RULES

21 NCAC 37C .0101 PETITIONS FOR ADOPTION OF RULES

(a) General. The procedure for petitioning the Board to adopt, amend, or repeal a rule is governed by G.S. 150B-20.

(b) Submission. Rule-making petitions shall be sent to the Executive Director. No special form is required, but the petitioner shall state his name and address. The following shall be included in the petition:

- (1) a draft of the proposed rule;
- (2) the reason for its proposal;
- (3) the effect of the proposed rule on existing rules or decisions;
- (4) data supporting the proposed rule;
- (5) practices likely to be affected by the proposed rule;
- (6) persons likely to be affected by the proposed rule.

(c) Disposition. The Executive Director shall review the petition and develop a recommendation as to whether the petitioner's proposed rule should be rejected or implemented. The Executive Director shall present the petition and his recommendation to the Board at its next regular meeting following receipt of the petition, and the Board shall render its decision to either deny the petition or initiate rule-making. The Board shall notify the petitioner of its decision in writing within the period set by G.S. 150B-20.

*History Note: Authority G.S. 90-285; 150B-20;
Eff. May 1, 1989;
Transferred and Recodified from 21 NCAC 37A .1201 Eff. April 1, 1996;
Amended Eff. April 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2014.*